

United States District Court  
for the  
Southern District of New York  
Related Case Statement

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Full Caption of Later Filed Case:

Securities and Exchange Commission

Plaintiff	Case Number
vs.	1:22-CV-3402
Sung Kook (Bill) Hwang, Patrick Halligan, William Tomita, Scott Becker, and Archegos Capital Management, LP	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Commodity Futures Trading Commission

Plaintiff	Case Number
vs.	1:22-CV-3401
Archegos Capital Management, LP, and Patrick Halligan	
Defendant	

## Status of Earlier Filed Case:

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Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

The complaint has been filed and the case is in a preliminary stage. The defendants have not yet responded to the complaint.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Rule 13(a) of the Court's Rules for the Division of Business Among District Judges provides: "In determining relatedness, a judge will consider whether (A) the actions concern the same or substantially similar parties, property, transactions or events; (B) there is substantial factual overlap; (C) the parties could be subjected to conflicting orders; and (D) whether absent a determination of relatedness there would be a substantial duplication of effort and expense, delay, or undue burden on the Court, parties or witnesses."

Here, it appears that: "the actions concern the same or substantially similar parties, property, transactions or events," and "there is substantial factual overlap," namely, the actions concern an interrelated series of events involving alleged false and misleading statements made to trading counterparties of Archegos Capital Management, LP, during similar timeframes, and each of the defendants in the earlier-filed action is named as a defendant in the later-filed action. The parties also "could be subjected to conflicted orders," namely, defendants Archegos Capital Management, LP, and Patrick Halligan, who are parties to both actions, could be subjected to conflicting orders.

Signature: \_\_\_\_\_

Date: 4/28/22

Commodity Futures Trading Commission

Firm: \_\_\_\_\_